

In an action against an executor by a married woman suing by her husband as her next friend, he is a competent witness in her behalf: *Id.*

And the fact that he was directly interested in fixing a liability upon the estate of the deceased, because of his liability over to his wife in respect of the transactions as her agent, does not exclude him from testifying: *Id.*

WILL.

Devise to Heirs at Law—Distribution per stirpes.—A testator devised all his estate to his wife during her life, and after her death directed that \$1000 be paid to his daughter, and gave to his daughter-in-law (the widow of his deceased son), a lot, and then directed, "the remainder of my estate to be divided equal among my heirs at law." The widow was dead when a partition was asked, and it appeared that the testator had but two children, a daughter still living, and a son who died before the testator, leaving children: *Held*, that his heirs took *per stirpes*, and not *per capita*, in the remainder of the estate, so that the daughter took one-half and the heirs of the son the balance: *Kelley v. Vigas*, 112 Ill.

Where a devise is made to a class of persons not named, as "heirs at law" of the testator, so that reference has to be made to the statute to ascertain the persons who constitute his heirs, the provisions of the statute as to the quantity each shall take must also govern. In such case the estate devised will be divided among his heirs, as in cases of intestacy: *Id.*

LIST OF THE PRINCIPAL NEW LAW BOOKS.

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BISHOP.—Prosecution and Defence. Practical Directions and Forms for the Grand Jury Room, Trial Court and Court of Appeal in Criminal Causes, with full Citations of Precedents from the Reports and other Books, and a General Index to the Author's Series of Criminal Law Works. By J. P. BISHOP. 8vo., pp. 856. Boston: Little, Brown & Co.

BUSWELL.—The Law of Insanity in its Application to the Civil Rights and Capacities and Criminal Responsibility of the Citizen. By H. F. BUSWELL. 8vo., pp. 595. Boston: Little, Brown & Co.

CHALLIS.—The Law of Real Property, chiefly in relation to Conveyancing By H. W. CHALLIS. 8vo., pp. 424. London: Reeves & Turner.

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